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JW

PATENT
ATTORNEY DOCKET NO.140P/PCT2/US
BIO-140.1 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EV 921126902 US with sufficient postage on the date indicated below and in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[X] If checked, two copies of this correspondence are enclosed.

Dawn M Janelle
Signature
Dawn M. Janelle
Printed name of person mailing correspondence

Date of Deposit: 6/28/2006

Applicant: DONG, Zheng Xin
Serial No.: 10/582,534
Filed: June 9, 2006
Title: ANALOGUES OF GLP-1

Art Unit: Unknown
Examiner: Unknown

**INFORMATION DISCLOSURE STATEMENT AND AUTHORIZATION TO
CHARGE DEPOSIT ACCOUNT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

[] under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

[X] under 37 CFR 1.97(b), or
(Whichever occurs last of the following: within three months of filing national application; within three months of date of entry of the national stage in international application; before the mailing date of first office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination)

[] under 37 CFR 1.97(c) together with either:

[] a Statement under 37 CFR 1.97(e), as checked below, or

[] a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

[] under 37 CFR 1.97(d) together with:

[] a Statement under 37 CFR 1.97(e), as checked below, and

[] a Petition under 37 CFR 1.97(d)(2), and

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.L./

☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☐ Applicant requests that the attached IDS and cited reference(s) ☐ be placed in the application filewrapper.

(Filed after payment of issue fee)

☐ Some of the listed references were cited in a European Search Report in a counterpart European application or cited in a communication from a foreign patent office in a counterpart foreign application.

☐ Enclosed herewith is form PTO/1449 (2 pages; reproduced form), with a copy of each of the references noted thereon.

☒ Enclosed herewith is form PTO/1449 (2 pages; reproduced form), with a copy of selected references noted thereon. As per the change to 37 CFR 1.98(a)(2) published in the September 21, 2004 Federal Register and effective as of October 21, 2004, in which the requirement for a copy of each U.S. Patent or U.S. Patent application publication listed in an IDS has been eliminated regardless of the filing date of the application (unless required by the Office), copies of any United States Patent or Patent Publications are not enclosed.

☐ Copies of the reference(s) X to X noted on the enclosed form PTO/1449 (2 pages, reproduced form) were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. NNNN, from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)). Applicants request that copies of art in U.S. Application Serial No. NNNN cited on the enclosed PTO/1449 form be transferred to the present U.S. Application Serial No. NNNN.

Concise Explanation Requirement (non-English references):

☐ The "concise explanation" requirement for reference(s) DB under 37 CFR 1.98(a)(3) is satisfied by:

☐ the explanation provided on the attached sheet.

☐ the explanation provided in the Specification.

☐ submission of the enclosed International Search Report.

☐ the enclosed English language abstracts.

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO/SB/08B appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Statement Under 37 CFR 1.97(e):

☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Method of payment:

☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.

- [X] No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- [X] The Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,

BIOMEASURE, INCORPORATED

Dated: 6/28/06

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Registration No.: 53,963

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ATTORNEY DOCKET NO.
140P/PCT2/US

APPLICATION NO.
10/582,534

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

APPLICANT
DONG, Zheng Xin

FILING DATE
June 9, 2006

GROUP/EXAMINER
Unknown/Unknown

U. S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A	5,512,549	Apr. 30, 1996	Chen et al.			
	B	5,545,618	Aug. 13, 1996	Buckley, et al.			
	C	5,705,483	Jan. 6, 1998	Galloway et al.			
	D	6,410,513	Jun. 25, 2002	Galloway et al.			
	E	6,458,924	Oct. 1, 2002	Knudsen et al.			
	F	6,620,910	Sep. 16, 2003	Calas et al.			
	G	6,720,407	Apr. 13, 2004	Hughes et al.			
	H	6,903,186	Jun. 07, 2005	Dong et al.			
	I	20030186858	Oct. 2, 2003	Arentsen			
	J	20030220243	Nov. 27, 2003	Glaesner et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	K	87/06941	Nov. 19, 1987	WIPO PCT			
	L	91/11457	Aug. 8, 1991	WIPO PCT			
	M	97/29180	Aug. 24, 1997	WIPO PCT			
	N	98/03547	Jan. 29, 1998	WIPO PCT			
	O	98/08871	Mar. 5, 1998	WIPO PCT			
	P	98/19698	May 14, 1998	WIPO PCT			
	Q	99/43705	Sep. 2, 1999	WIPO PCT			
	R	00/34331	Jun. 15, 2000	WIPO PCT			
	S	01/035988	May 25, 2001	WIPO PCT			
	T	01/57084	Aug. 9, 2001	WIPO PCT			
	U	0 658 568	Jun. 21, 1995	EP			
	V	0 699 686	Mar. 6, 1996	EP			
	W	0 708 179	Apr. 24, 1996	EP			
	X	0 733 644	Sep. 25, 1996	EP			
	Y	0 869 135	Oct. 7, 1998	EP			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Z	ADELHORST, K. et al. "Structure-Activity Studies of Glucagon-Like Peptide-1", 1994, J. of Biological Chem., 269:6275-6278.	
EXAMINER	/David Lukton/		DATE CONSIDERED 02/23/2010

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FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AA	AHREN, Bo, et al.; "Effects of Glucagon-Like Peptide-1 on Islet Function and Insulin Sensitivity in Noninsulin-Dependent Diabetes Mellitus"; 1997; Journal of Clinical Endocrinology and Metabolism; 82:473-478.
AB	DEACON, C.F., et al.; "Dipeptidyl peptidase IV resistant analogues of glucagon-like peptide-1 which have extended metabolic stability and improved biological activity"; 1998; Diabetologia; 41:271-278.
AC	DEACON, C.F., et al.; "Dipeptidyl Peptidase IV Inhibition Potentiates the Insulinotropic Effect of Glucagon-Like Peptide 1 in the Anesthetized Pig"; 1998; Diabetes; 47:764-769.
AD	GUTNIAK, Mark, et al.; "Antidiabetogenic Effect of Glucagon-Like Peptide-1 (7-36) Amide in Normal Subjects and Patients with Diabetes Mellitus"; 1992; The New England Journal of Medicine; 326:1316-1322.
AE	MENTLEIN, R., et al.; "Dipeptidyl-peptidase IV hydrolyses gastric inhibitory polypeptide, Glucagon-like peptide-1 (7-36) amide, peptide histidine methionine and is responsible for their degradation in human serum"; 1993; Biochem; 214:829-835.
AF	MOJSOV, S. "Structural requirements for biological activity of glucagon-like peptide I," Int. J. Pep. Prot. Res., 1992, 40:333-343.
AG	NAUCK, M.A. et al.; "Effects of subcutaneous glucagon-like peptide 1 (GLP-1 [7-36 amide]) in patients with NIDDM"; 1996; Diabetologia; 82:1546-1553.
AH	PARKER, J. C. et al. "Structure-Function Analysis of a Series of Glucagon-Like Peptide-1 Analogs", 1998, J. Peptide Res., 52:398-409.
AI	RACHMAN, J. et al.; "Near-normalisation of diurnal glucose concentrations by continuous administration of glucagon-like peptide-1 (GLP-1) in subjects with NIDDM"; 1997; Diabetologia; 40:205-211.
AJ	RITZEL, U. et al. "A Synthetic Glucagon-Like Peptide-1 Analog With Improved Plasma Stability", 1998, J. of Endocrinology, 159:93-102.
AK	SUZUKI, S., et al.; "Comparison of the Effects of Various C-Terminal and N-Terminal Fragment Peptides of Glucagon-Like Peptide-1 on Insulin and Glucagon Release from the Isolated Perfused Rat Pancreas"; 1989; Endocrinology; 125: 3109-3114.
AL	THORENS, Bernard, et al.; "Glucagon-Like Peptide-I and the Control of Insulin Secretion in the Normal State and in NIDDM"; 1993; Diabetes; 42:1219-1225.
AM	THORENS, Bernard, et al.; "Structure and Function of the Glucagon-Like Peptide-1 Receptor"; 1996; Handbook of Experimental Pharmacology; 123:255-273.
AN	TODD, J.F., et al.; "Glucagon-like peptide-1 (GLP-1): a trial of treatment in non-insulin-dependent diabetes mellitus"; 1997; European Journal of Clinical Investigation; 27:533-536.

EXAMINER

/David Lukton/

DATE CONSIDERED

02/23/2010

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH.

/D.L./